



Entered on Docket
February 19, 2010

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

PITE DUNCAN, LLP
STEVEN W. PITE (NV Bar #008226)
EDDIE R. JIMENEZ (NV Bar #10376)
JACQUE A. GRUBER (NV Bar #11385)
4375 Jutland Drive, Suite 200
P.O. Box 17933
San Diego, CA 92177-0933
Telephone: (858) 750-7600
Facsimile: (619) 590-1385
E-mail: ecfnvb@piteduncan.com

ABRAMS & TANKO, LLP
MICHELLE L. ABRAMS (NV Bar #005565)
3085 S. Jones Blvd., Suite C
Las Vegas, NV 89146

Attorneys for Secured Creditor WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER
TO WELLS FARGO BANK SOUTHWEST, N.A. FORMERLY KNOWN AS
WACHOVIA MORTGAGE, FSB, FKA WORLD SAVINGS BANK, FSB

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

PAUL E. CLARK,

Debtor(s).

Bankruptcy Case No. BK-S-09-31345-mkn
Chapter 7

WELLS FARGO BANK, N.A.,
SUCCESSOR BY MERGER TO WELLS
FARGO BANK SOUTHWEST, N.A.
FORMERLY KNOWN AS WACHOVIA
MORTGAGE, FSB, FKA WORLD
SAVINGS BANK, FSB'S ORDER
TERMINATING AUTOMATIC STAY

Date: January 20, 2010

Time: 1:30 p.m.

1 A hearing on Secured Creditor Wells Fargo Bank, N.A., successor by merger to
2 Wells Fargo Bank Southwest, N.A. formerly known as Wachovia Mortgage, FSB, fka World
3 Savings Bank, FSB's Motion for Relief From the Automatic Stay came on regularly for hearing
4 in the United States Bankruptcy Court before the Honorable Mike K. Nakagawa, Michelle
5 Abrams appearing on behalf of Secured Creditor.

6 The court having duly considered the papers and pleadings on file herein and
7 being fully advised thereon and finding cause therefor:

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

9 The automatic stay of 11 United States Code section 362 is hereby immediately
10 terminated as it applies to the enforcement by Movant of all of its rights in the real property
11 under the Note and Deed of Trust encumbering the real property commonly known as 741 Secret
12 London Ave, Las Vegas, Nevada 89178-1279 ("Real Property"), which is legally described as:

13 SEE LEGAL DESCRIPTION ATTACHED
14 HERETO AS EXHIBIT A AND MADE A PART
15 HEREOF.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or
17 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale
18 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days
19 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at
20 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the
21 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada
22 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to
23 provide 7 days' notice to the Debtor(s).

24 ///

25 ///

26 ///

27 ///

28 ///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may
2 offer and provide Debtor with information re: a potential Forbearance Agreement, Loan
3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and
4 may enter into such agreement with Debtor. However, Movant may not enforce, or threaten to
5 enforce, any personal liability against Debtor if Debtor's personal liability is discharged in this
6 bankruptcy case.

7 APPROVED

APPROVED/DISAPPROVED

8 /s/ David M. Crosby

9 DAVID M. CROSBY
10 DEBTOR(S) ATTORNEY

11 JAMES F. LISOWSKI, SR.
12 TRUSTEE

13 /././

14 /././

15 /././

16 /././

17 /././

18 /././

19 /././

20 /././

21 /././

22 /././

23 /././

24 /././

25 /././

26 /././

27 /././

28 /././

EXHIBIT 'A'

Parcel I:

Lot 33 of Huntington Village E Unit 2 at Rhodes Ranch, as shown by map thereof on file in Book 122 of Plats, Page 33, in the Office of the County Recorder of Clark County, Nevada.

Reserving therefrom an easement for private streets and common areas as shown and delineated on said map.

Parcel II:

An easement for ingress and egress over private streets and common areas as shown and delineated on said map.

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☒ Approved. – Debtor’s Attorney

☐ Disapproved.

☒ Failed to respond. - Trustee

###

Submitted by:

/s/ JACQUE A. GRUBER

4375 Jutland Drive, Suite 200

P.O. Box 17933

San Diego, CA 92177-0933

(858) 750-7600

NV Bar #11385

Attorney for WELLS FARGO BANK, N.A., SUCCESSOR

BY MERGER TO WELLS FARGO BANK SOUTHWEST,

N.A. FORMERLY KNOWN AS WACHOVIA MORTGAGE, FSB,

FKA WORLD SAVINGS BANK, FSB